



Dan Skopec
Acting Secretary

California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Arnold Schwarzenegger
Governor

Certified Mail: 7003 1680 0000 6174 8777

April 21, 2006

Ms. Valerie Toney, CUPA Manager
Los Angeles City Fire Department
200 North Main Street, Suite 970
Los Angeles, California 90012

Dear Ms. Toney:

The California Environmental Protection Agency (Cal/EPA), Office of Emergency Services, and the State Water Resources Control Board conducted a program evaluation of the Los Angeles City Fire Department's Certified Unified Program Agency (CUPA) on April 12th and 13th, 2006. The evaluation consisted of a review of program elements, an in-office program review and field inspections. Following the evaluation, the state evaluators completed an Evaluation Summary of Findings, which was reviewed with your agency's program management.

The evaluation summary of findings includes identified deficiencies, corrective action to be taken and timeframes for correction of identified deficiencies. Two additional evaluation documents completed during the evaluation are the Program Observations and Recommendations and the Examples of Outstanding Program Implementation.

I have reviewed the enclosed copy of the Evaluation Summary of Findings and I find that Los Angeles City Fire Department's program performance is satisfactory with some improvement needed. To complete the evaluation process, please provide quarterly reports to Cal/EPA of your progress toward correcting the identified deficiencies. Submit your quarterly reports to Kareem Taylor by the 15th of the month following each quarter. The first report of progress is due on July 17, 2006.

Cal/EPA also noted during this evaluation that the Los Angeles City Fire Department has worked to bring about a number of local program innovations, including the CUPA's use of portable pen-based computer systems during inspections and a user-friendly website that allows the public to access forms and information about the Unified Program. We will be sharing these innovations with the larger CUPA community through the Cal/EPA Unified Program website to help foster a sharing of such ideas statewide.

Thank you for your continued commitment to the protection of public health and the environment through the implementation of your local Unified Program. If you have any questions or need further assistance, you may contact your evaluation team leader or

Valerie Toney
April 21, 2006
Page 2

Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or by email at
jbohon@calepa.ca.gov.

Sincerely,

Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosure

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Valerie Toney
April 21, 2006
Page 3

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CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION **SUMMARY OF FINDINGS**

CUPA: Los Angeles Fire Department

Evaluation Date: April 12th and 13th, 2006

EVALUATION TEAM

Cal/EPA: Kareem Taylor

SWRCB: Marci Christofferson

OES: Fred Mehr

This Summary of Findings includes the deficiencies identified during the evaluation, observations and recommendations for program improvement, and examples of outstanding program implementation activities. The evaluation findings are preliminary and subject to change upon review by state agency and CUPA management. Questions or comments can be directed to Kareem Taylor at (916) 327-9557.

	<u>Deficiency</u>	<u>Preliminary Corrective Action</u>	<u>Timeframe</u>
1	<p>The self-audit checklists submitted to Cal/EPA from FY 02/03 through FY 04/05 demonstrates the CUPA's completion of the specific self-audit and performance standards, but these checklists do not address all of the self-audit reporting elements. Los Angeles City Fire Department utilizes the self-audit guidance checklist developed by DTSC as a template rather than as a guide for their self-audits. There was no narrative summary included for any of the program elements.</p> <p>The Self-Audit shall include but not be limited to:</p> <ol style="list-style-type: none"> 1. The CUPA's self-audit includes an evaluation of participating agency performance. <ol style="list-style-type: none"> A. The self-audit shall address at a minimum all program elements including the periodic evaluation of participating agencies, and a report of deficiencies with a plan of correction [refer to Section 15180(a)(8)]. B. The CUPA shall prepare a summary of the findings of each self-audit and shall maintain the summary and self-audit records at the primary 	<p>Starting with the FY 05/06 self-audit, include all of the required elements listed in this deficiency into the self-audit. Use the self-audit checklist only as guidance for the self-audit.</p>	<p>September 30, 2006</p>

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

	<p>CUPA address provided in the application or as subsequently revised by the CUPA and provided to the Secretary at the address given in Section 15290(c).</p> <p>2. Narrative summaries of program element activities including, but not limited to the effectiveness and efficiency of permitting and inspection and enforcement activities undertaken and a copy of the annual, biennial, and quarterly reports of program activities submitted to the Secretary pursuant to Section 15290.</p> <p>3. A summary of Single Fee System activities.</p> <p>4. A narrative summary of the progress made toward consolidating, coordinating, and making consistent the Unified Program.</p> <p>5. A record of changes in local ordinances, resolutions, and agreements affecting the Unified Program.</p> <p>6. A narrative summary of the annual review and update of the fee accountability program as required by Section 15210(b) (2).</p> <p>7. A summary of new programs being included in the Unified Program.</p> <p>8. A demonstration that the CUPA has satisfied the specific self-audit and performance standards established in regulation by the Secretary or the state agencies responsible for one or more of the program elements.</p>		
2	The CUPA is evaluating PA inspectors during facility inspections; however, the PA is not evaluated on the maintenance of their inspection reports, facility enforcement and return to compliance documentation, and staff training records.	At the time of the CUPA self-audit, evaluate PA inspection reports, facility enforcement and return to compliance, and staff training records.	September 30, 2006
3	The CUPA does not have a Cal ARP dispute resolution process.	The CUPA shall create a Cal ARP dispute resolution process.	Corrected at evaluation.
4	The UST operating permit does not contain the monitoring options used for the tank and piping systems or have a statement that the monitoring, response, and plot plans are to be maintained on site with the permit.	Include how the tank and piping systems are monitored on the operating permit, and verbiage that states that the approved monitoring, response, and plot plans are to be maintained on site with the	July 13, 2006

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

		permit.	
5	The CUPA does not approve and/or review monitoring, response and plot plans for accuracy and/or applicability. When the application for the UST permit is submitted, data entry is performed and the forms filed. The UST inspector prints out a summary of information prior to the UST program inspection, but it does not include the specific tank or piping information, monitoring information, financial responsibility information, etc. The information located at the facility is not compared to what has been submitted.	Provide a procedure to ensure that all of the permitting information has been submitted, reviewed for completeness and approved. Verify that it is accurate for the facility. During an inspection compare what is submitted to the information located at the facility.	July 13, 2006

CUPA Representative

(Print Name)

(Signature)

Evaluation Team Leader

(Print Name)

(Signature)

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

PROGRAM OBSERVATIONS AND RECOMMENDATIONS

1. **Observation:** CUPA inspectors are not transferring completed inspection, enforcement, or compliance documentation to a centralized computer database. CUPA plans to acquire and integrate the Envision Connect software to their data management by August 2006. Envision Connect will allow easier data transfer from the inspectors pen-base computers to a central CUPA database.

Recommendation: Acquire and integrate the Envision Connect software into Los Angeles City Fire's Unified Program data management process. Check into whether Los Angeles City Fire can use Envision Connect to connect the CUPA database with its PA. This would greatly improve access to CUPA and PA facility information.

2. **Observation:** The UST Permit application packet does not include Financial Responsibility Forms, Designated Operator or Certification of Compliance forms and there is no supplemental information regarding these or indicating that they are needed.

Recommendation: Provide supplemental materials for UST Permits that include these items, or include them in the initial application packet.

3. **Observation:** In the files reviewed, one or more pieces of essential paperwork was missing in all of the files: Forms A & B, Financial Responsibility forms, Monitoring and Response Plans, plot plans, Operating or Unified Permits, Inspection Reports, Designated Operator and Certificate of Compliance forms submitted by the tank owner.

Recommendation: Keep the original A & B forms, monitoring and response plans, financial responsibility documents, copies of permits, inspection reports, and other required forms, etc. in the same file.

4. **Observation:** File documents pertaining to one facility were filed in different folders, located in different file areas, and filed according to different criteria.

Recommendation: Keep all current permit information for one facility in one file. It might be helpful to get folders that have several compartments to organize the information: one section for facility submittals and permits, one for correspondence, one for inspections and informal enforcement, one for annual tank testing certifications, etc.

5. **Observation:** The UST inspection checklist does not indicate code sections, and does not provide a comments section for further explanation of the violation. A violation summary is not provided at the end of the inspection that explains what is needed to correct the violation.

Recommendation: Include code sections in your checklist that corresponds to the violation, so the owner/operator will be able to identify the code violation. Provide a

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

comments section to the inspection checklist where the inspector can detail the violation, indicate if pictures or samples were taken, etc. Provide the owner/operator with a summary of violations which details what is needed to correct the violation.

6. **Observation:** Inspection checklist does not identify Significant Operational Compliance items or provide for a summary of these items for tracking purposes, and the database does not track SOC compliance.

Recommendation: Provide a means for determining SOC compliance during the inspection and provide a means for tracking the compliance in order to provide the data for Report 6.

7. **Observation:** Enforcement procedure does not include Red Tag provisions as an option.

Recommendation: Revise the enforcement options in the Inspection and Enforcement Plan to include the Red Tag provisions.

8. **Observation:** The CUPA is improving on its inspection frequencies in many elements of the Unified Program.

Recommendation: No recommendations.

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. The CUPA inspectors utilize pen-based computers with Envision software to assist with their inspections.
2. The CUPA maintains a user friendly website that allows public access to forms, their fee schedule, applications, guidance documents, and general information regarding their unified program.
3. The CUPA maintains additional literature available to the public at their customer service counter, including but not limited to, winter indoor safety tips, upcoming meetings or hearings, severe weather driving tips, various permit requirements, and amendments to the inspector manual.
4. The CUPA has an excellent working relationship with fire inspectors, county hazardous waste inspectors, building and safety inspectors and fire engineering to identify new facilities and work in joint inspections.
5. The CUPA provides an excellent application packet for Unified Program reporting.
6. The CUPA plans to provide a contractor training seminar for all UST installers, and service technicians.